In re Application of: Poplawski et al.

Application No.: 10/637,161 Atty Docket No.: 36400.35US2 Examiner: T. Lewis
Art Unit: 3681

REMARKS

By this response, in the Present Application, Claims 11 and 12 have been cancelled, previously-amended Claims 9 and 13 and originally-submitted Claims 14 and 16 have been amended, and Claim 23 has been added. As such, Claims 1-10 and 13-23 are pending in the Present Application.

In the Office Action, Claims 9-18 were rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which Applicants regard as their Invention.

In response, Applicants have removed the rejected claim matter from Independent Claim 9.

Thus, Applicants respectfully submit that Claims 1-18 complies with the written description requirement of 35 U.S.C. § 112, first paragraph.

In the Office Action, Claims 9-11 and 14-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peter, U.S. Patent No. 5,894,907 in view of Hauser et al., U.S. Patent No. 6,223,531, and over Osuga, U.S. Patent No. 6,460,886 in view of Hauser. Finally, the Examiner noted that Claims 12 and 13 were objected to as depending upon a rejected Independent Claim, but would be allowable if rewritten in independent form, including all of the limitations of the base, and any intervening, Claims.

In response, Applicants have incorporated Dependent Claims 11 and 12 into Independent Claim 9, as amended.

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Applicants also add new Dependent Claim 23, to take into account the deleted

portion of Independent Claim 9, as amended.

Applicants submit that any amendments to the Claims that were not made in

response to the Examiner's objections or rejections were made for non-statutory

purposes. Accordingly, any such amendments should not limit the scope of the present

invention, which is to be given the full breadth of the claim language and any

equivalents thereof.

Based on the foregoing Amendments and Remarks, the present Application is

considered to be in condition for allowance. Such action on the part of the Examiner is

respectfully requested. If the Examiner feels a telephonic conference would expedite

the allowance of the present Application, it is suggested the Examiner contact the

undersigned Attorney.

It is further believed that no fee is due for the filing of this Response. If such is

not the case, any fee due may be charged to our firm's Deposit Account No. 502261.

Respectfully submitted,

Date: 12 September 2005

Timothy M. Morella Reg. No. 45,277

Attorney for Applicants

NEAL, GERBER & EISENBERG LLP 2 North LaSalle Street

Chicago, Illinois 60602.3801

312 269 8000 (voice)

312 269 1747 (facsimile)

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S. K. Easterling

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